



Planning Justification Report

111 & 115 Fiddler's Green Road
Ancaster, Ontario

August 2022

Prepared For:

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1.0 Introduction

T. Johns Consulting Group (“T. Johns Consulting”) was retained by Shcherbatykh Medicine Professional Corporation, the landowners of 111 & 115 Fiddler’s Green Road, Ancaster, in the City of Hamilton (“subject lands”), on February 8, 2022, to prepare a Planning Justification Report in support of a complete Zoning By-law Amendment (“ZBA”) application.

A ZBA is required to facilitate the redevelopment of the subject lands for a mixed-used commercial and residential development. The redevelopment removes the existing single detached dwelling and commercial florist shop for a two-storey mixed-use building with medical clinic and office space at grade with residential units above.

This report includes an overview of the subject lands in context with surrounding land uses, a description of the development proposal and supporting studies, and a detailed analysis of the pertinent planning framework that provides the basis of a planning analysis and the proposed planning instruments.

First, we hold space and recognize the traditional territory of where the subject lands reside.

Land Acknowledgement

The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississauga’s.

This land is covered by the Dish With One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinabek to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississauga’s of the Credit First Nation.

Today, the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners, and caretakers.

1.1 Description

The subject lands are located in central Ancaster, at the edge of the Greenside Acres neighbourhood on the northside of Fiddler’s Green Road, a minor arterial road. The subject lands are legally described as Part of Lot 43, Concession 3, Geographic Township of Ancaster, in the City of Hamilton. The subject lands are an interior lot with approximately 41.47 metres of frontage along Fiddler’s Green Road with a total lot area of approximately 0.2ha (2,081.3 m²) (refer to **Figure 1 - Location Map**).

The property is rectangular in shape and has a generally flat topography, with a slight downward slope to the east and northeast. The subject lands have eighteen (18) trees inventoried on site. The property is currently occupied by two (2) buildings, including:

- One single storey commercial florist building with approximately ten (10) parking spaces with driveway access from Fiddler’s Green Road; and,

- One (1) one and a half storey residential dwelling with driveway access from Fiddler's Green Road.

Figure 1: Location Map



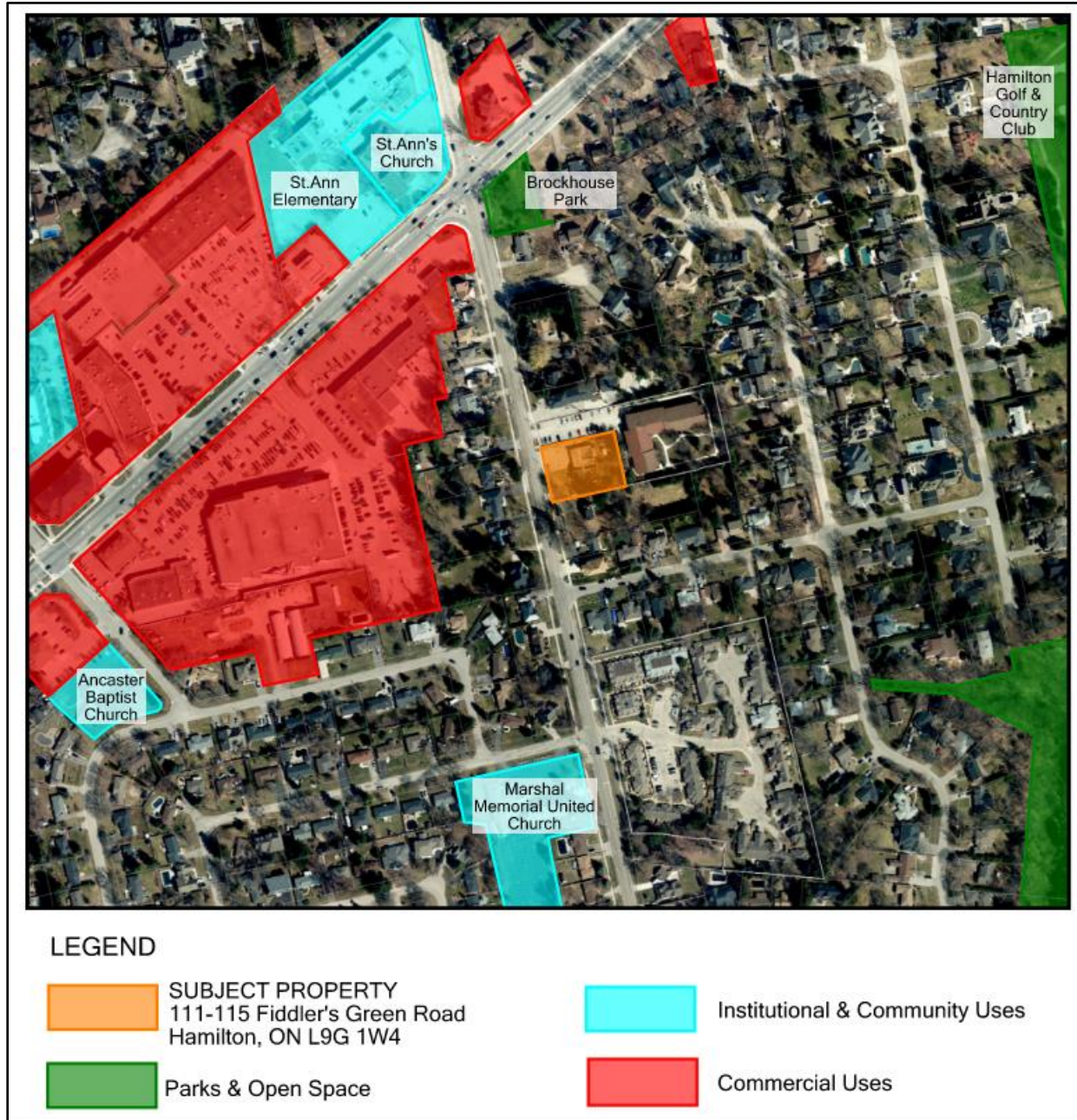
1.2 Community Context

111 & 115 Fiddler's Green Road is located in central Ancaster at the edge of the Greenside Acres neighbourhood. The neighbourhood is made up of a range of land uses including varying forms of residential commercial, institutional, and community uses.

Although not fronting onto Wilson Street, the subject lands are located in a transitional area between the Wilson Street Uptown Core and Village Core and are immediately surrounded by low and medium density residential forms. The subject lands are supported by community and institutional services and facilities including Greenside Acres Park, Marshall Memorial United Church, St. Ann's Parish, St. Ann Catholic Elementary School, and Spring Valley Elementary School. To the north-west, the neighbourhood is supported by local and arterial commercial uses along the Wilson Street West 'Uptown Core.' Ancaster's 'Village Core' is located to the south, along Wilson Street East (refer to **Figure 2 - Community Context Map**).

The subject lands are located on the east side of Fiddler's Green Road (minor arterial road) which intersects and is the dividing line between Wilson Street East and Wilson Street West (major arterial road). The subject lands are located approximately 195 metres from the Fiddler's Green Road and Wilson Street intersection. The primary function of minor arterial roads is to carry moderate volumes of traffic through the City. Minor arterial roads in existing neighbourhoods are appropriate locations for intensification and mixed-use infill development. The subject lands are located within proximity to a Controlled Access Provincial Highway (Highway 403) and with access to a Community Node along Wilson Street West and East.

Figure 2: Community Context Map



2.0 Proposed Development

It is proposed to remove the existing commercial florist shop at 111 Fiddlers Green Road and the single detached dwelling at 115 Fiddler's Green Road to facilitate the redevelopment of one (1), two-storey mixed use building. Approximately 539 m² of ground floor leasable commercial space is proposed, intended to be occupied by medical professionals for a Medical Clinic use and office. Six (6) dwelling units with rental tenure are proposed in the second storey above. These uses are proposed to be supported by a total of thirty-three (33) parking spaces including one (1) barrier free parking space and ten (10) short-term bicycle parking spaces. The driveway access point at 115 Fiddler's Green Road is to be removed while the access at 111 Fiddler's Green Road will generally be maintained in its existing location (refer to **Appendix A - Conceptual Site Plan**).

The landowners intend to occupy the ground floor commercial space for the purpose of a medical clinic for provincially regulated health professionals, including physicians and pharmacists. As such, associated uses within the medical clinic may include a pharmacy. However, the space will be flexible to evolve over time and may include professional office uses.

2.1 Planning Applications

On October 6th, 2021, a Formal Consultation meeting was held with City Staff, the Applicant, and T. Johns Consulting to discuss the merits of the proposed redevelopment for a two-storey mixed use building, containing a medical clinic and office unit at grade and six (6) residential units above with rental tenure. The meeting confirmed that approval of a Zoning By-law Amendment ("ZBA") and subsequent Site Plan Control application will be required to facilitate the proposed redevelopment.

A ZBA will be required to rezone the subject lands from the existing "General Commercial (C3-211) Zone, Modified" and "Existing Residential (ER) Zone" in the *Town of Ancaster Zoning Bylaw No. 87-57* to a site-specific "Neighbourhood Commercial (C2-XX) Zone, Modified" in the City of Hamilton Comprehensive *Zoning By-law No. 05-200*.

The following reports and plans are required to facilitate the proposed redevelopment:

- Planning Justification Report (*incl. Draft Amending By-law & Public Consultation Strategy*);
- Urban Design Brief;
- Survey Plan;
- Conceptual Site Plan;
- Conceptual Building Elevations;
- Conceptual Landscape Plan;
- Tree Management/Protection Plan;
- Phase I Environmental Site Assessment;
- Functional Servicing and Stormwater Management Report (*incl. Fire Flow Assessment, Storm Drainage Area Plans & Watermain Hydraulic Analysis*);

- Preliminary Grading and Servicing Plans;
- Noise Impact Study.

3.0 Supporting Studies

The studies identified during the Formal Consultation meeting were completed in support of the proposed development, and a copy of each has been included within the submission package. This section provides a brief summary of the findings for each study.

3.1 Urban Design Brief

An Urban Design Brief dated August 2022 was completed by T. Johns Consulting Group Ltd. in support of the proposed redevelopment. The brief provides an urban design rationale for the proposed building and site design in relation to applicable urban design policies and guidelines within the *Urban Hamilton Official Plan*, the *Ancaster Wilson Secondary Plan*, and the *Ancaster Wilson Street Urban Design Guidelines*. The brief concludes that the proposed development meets the intent of the policies that guide development in preserving and enhancing Ancaster's distinct character and heritage. The proposed development provides for compatible materials, façade, roof lines, landscaping and setbacks to ensure the design does not negatively impact the adjacent neighbourhood or the greater community context. For more detailed information and analysis, please refer to the submitted Urban Design Brief.

3.2 Tree Inventory and Preservation Plan

A Tree Inventory and Preservation Plan dated March 2022, revised May 2022, has been prepared by Kuntz Forestry Consulting Inc. in support of this ZBA application. The report found that there are eighteen (18) trees on and within six metres of the subject lands. A total of ten (10) trees are anticipated to be removed. Nine (9) trees are required to be removed to accommodate the proposed development while one (1) tree is recommended to be removed due to its existing poor condition. The remaining eight (8) trees are intended to be saved and protected provided appropriate measures are installed prior to construction. Recommended protection measures include establishing tree protection zones ("TPZ") around identified trees through barriers and fencing, pruning, and monitoring during and post construction. For more detail, please refer to the Tree Inventory and Preservation Plan submitted with this application.

3.3 Phase 1 Environmental Site Assessment

A Phase 1 Environmental Site Assessment ("ESA") investigation was conducted by Landtek Ltd., April 2022. A Phase 1 ESA is required due to the proposed change in land use from commercial to residential on a portion of the property and was completed in accordance with Ontario Regulation 153/04 (as amended). Historically, the subject lands were used for agriculture and/or were vacant until the mid-1950s when they were developed for the commercial florist shop and the residential dwelling that are currently existing. One (1) Area of Potential Environmental

Concern (“APEC”) was identified on-site in the location of the commercial florist shop as a result of a furnace oil leak in 2015.

Landtek Ltd. concluded by recommending that a Phase Two ESA be conducted to further investigate the APEC. Ongoing environmental testing towards an RSC is currently ongoing at the time of the ZBA application. For more detail, please refer to the Phase 1 Environmental Site Assessment submitted with this application.

3.4 Functional Servicing Report

A Functional Servicing Report, dated May 2022, has been prepared by Landsmith Engineering & Consultants Ltd. in support of this ZBA application. The report confirmed that water servicing can be provided through a connection to the 150 mm watermain on Fiddler’s Green Road as it was determined there is ample water available for domestic usages and fire-flows. The site may be serviced for sanitary sewers in accordance with the proposed mixed-use design as there is capacity available on Fiddlers Green Road that can service the proposed building with a 150 mm diameter drain. Drains for stormwater runoff can be connected to the municipal 525 mm storm sewer on Fiddlers Green Road. Runoff quantity and quality will be effectively managed on site through the construction of a CULTEC 902HD Recharger system or equivalent, while quality will be further improved with the construction of an oil and grit separation unit. For more detail, please refer to the Functional Servicing Report submitted with this application.

3.5 Noise & Vibration Impact Study

A Noise & Vibration Impact Study, dated July 2022, has been prepared by dBA Acoustical Consultants Inc. in support of this ZBA application. The purpose of the report was to detail traffic noise impact to the proposed development and recommend noise control measures to meet MECP NPC-300 guidelines as the subject lands are located on an arterial road. Outdoor noise levels exceed 55 dBA daytime criteria, however balconies less than 4 metres in depth are not considered Outdoor Amenity Areas and therefore do not require noise mitigation measures but safety glass or equivalent will be installed mitigating noise levels for balcony areas. Nighttime road noise levels exceed the 50 dBA criteria for indoor space and as such, the road noise from Fiddler’s Green Road and Wilson Street West may impact the proposed development. The report provides recommendations to mitigate such impacts including the installation of windows and exterior walls along all facades with appropriate STC values, installation of adequate HVAC systems, including warning clauses within leases and a verification letter to be provided to the acoustical consultant to ensure windows meet specific ratings. For more detail, please refer to the Noise & Vibration Impact Study submitted with this application.

3.6 Public Consultation Strategy

T. Johns Consulting Group will provide a letter to residents within 120 metres within 30 days of receiving “Notice of Complete Application” that will provide an outline of the proposal and consultant contact information. Staff will be updated, and all findings will be submitted for review. Dependent on the feedback received, consideration will be given to arranging a neighbourhood

open house for further consultation and engagement with the public. Further a project micro-site will be accessible through T. Johns Consulting’s online Community Portal where details of the proposed development will be available for review and contact information to the agent (see **Appendix B - Public Consultation Strategy**).

4.0 Planning Framework

This section reviews the planning documents applicable to the subject property, which include the *Provincial Policy Statement, 2020*, *Places to Grow - Growth Plan for the Greater Golden Horseshoe, 2019*, the *Urban Hamilton Official Plan*, the *Ancaster Wilson Street Secondary Plan*, and the *Town of Ancaster Zoning By-law No. 85-57*. The requested amendments will be discussed as required.

4.1 Provincial Policy Statement, 2020

The *Provincial Policy Statement, 2020* (“PPS”), issued under the *Planning Act, R.S.O. 1990, C.O. 13* (“*Planning Act*”), came into effect on May 1st, 2020, as a policy-led regulating document that provides direction on provincial interests related to managing land use planning and development. The *Planning Act* requires that, “decisions affecting planning matters shall be consistent with” the PPS.

The subject lands are located within an existing “Settlement Area” known as the former Township of Ancaster now, the City of Hamilton. Applicable policies have been reviewed below.

1.1.1 *Healthy, livable, and safe communities are sustained by:*

- a. *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b. *accommodating an appropriate range and mix of residential (including second units, affordable housing, and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries, and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c. *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d. *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e. *promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*
- f. *improving accessibility for persons with disabilities and older persons by identifying, preventing, and removing land use barriers which restrict their full participation in society;*
- g. *ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and*

- h. promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.*

Planning Comment

The proposed redevelopment is intended to accommodate mixed-use intensification on existing underutilized urban lands with frontage onto an arterial road with access to transit and within walking distance to established district commercial uses. The subject lands are at a transitional point in the neighbourhood, which has district commercial lands to the west and institutional and low density residential neighbourhood to the east. The proposed Zoning By-law Amendment will allow for appropriate mixed-use infill redevelopment, providing six (6) residential units and leasable commercial space that is flexible however, it will be suitable for a medical clinic and office space. The subject lands are serviced by existing municipal infrastructure which will service the proposed building as confirmed in the submitted Function Servicing Report (Landsmith, 2022). The proposed intensification will not impact future efficient expansion as it will intensify existing urban lands in an efficient and cost-effective development pattern.

1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists, or may be developed; and*
- g) are freight-supportive*

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated considering existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety.

1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

Planning Comment

The subject lands are within a settlement area known as the City of Hamilton which is anticipated to accommodate residential growth through intensification. The subject lands are serviced by existing municipal infrastructure with capacity to service the net increase of residential units as confirmed by the Functional Service and Stormwater Management Report (Landsmith, 2022). The proposed low-rise mixed use building reflects the established land use pattern in the neighbourhood and promotes intensification within a compact urban built form.

1.4.1 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and*
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*
- b) permitting and facilitating:*
 - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and,*
 - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3.*

- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and,*
- f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

Planning Comment

The proposed redevelopment of the subject lands will contribute to residential growth through land use intensification and will not impede future residential growth opportunities within the broader community. The proposed redevelopment will provide a compatible form while introducing a variation of dwelling type within the community. The subject lands are supported by transportation and transit networks which provide access to varied supportive land uses, including community services. Further, the proposal does not impose capacity restrictions to existing municipal services.

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

1.6.6.7 Planning for stormwater management shall:

- a) *be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) *minimize, or, where possible, prevent increases in contaminant loads;*
- c) *minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) *mitigate risks to human health, safety, property, and the environment;*
- e) *maximize the extent and function of vegetative and pervious surfaces; and*
- f) *promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

1.6.7.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

1.6.7.3 As part of a multimodal transportation system, connectivity within and among transportation systems and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

Planning Comment

The subject lands have frontage onto a Minor Arterial (Fiddler’s Green Road) and are located along an existing bus route (HSR Route #16) and in proximity to Provincial Highway No. 403. The subject lands are located 200 metres south of the intersection of Fiddler’s Green Road and Wilson Street West, which provides a number of community commercial uses within walking distance. The subject lands are also about a 15-minute walk from the historic Ancaster Village, which is comprised of a vibrant, pedestrian friendly main street core that provides a mix of uses and services. The proposed redevelopment will also provide short- and long-term bicycle parking spaces, further encouraging the use of active transportation.

The proposed development will be serviced by existing servicing infrastructure and therefore an expansion of municipal servicing is not required. The site’s stormwater management strategy will ensure quality and quantity measures are maintained on site. As mentioned in Section 3.4, the prepared Functional Servicing Report (Landsmith, 2022) provides details that stormwater quantity and quality controls will be applied to the site.

1.6.10.1 Waste management systems need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage, and promote reduction, reuse and recycling objectives. Waste management systems shall be located and designed in accordance with provincial legislation and standards.

Planning Comment

As the subject lands are proposed to be developed for a mixed-use, waste management will be considered as such. The medical clinic use on the ground floor will store bio-hazardous medical waste produced by their office on-site that will be collected privately with opportunities to utilize a tri-sorting system. The building as a whole will utilize a private waste collector for black bin waste while residential dwelling units are eligible for weekly municipal curbside pickup for green and blue bins.

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;*
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
- c) optimizing the long-term availability and use of land, resources, infrastructure, and public service facilities;*
- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets;*
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;*

- f) *promoting the redevelopment of brownfield sites;*
- g) *providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;*
- [...]*
- j) *promoting energy conservation and providing opportunities for increased energy supply;*
- k) *minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and*
- [...]*

Planning Comment

The proposed redevelopment provides intensification on a minor arterial road serviced by existing transit, public services, and communications infrastructure. The proposal maintains the intent of the policy by introducing new unit types and tenures to the neighbourhood which is predominantly single family residential. The proposed built form maintains the intent of applicable Urban Design policies. The proposed redevelopment protects agricultural resources by providing redevelopment within existing urban lands.

- 1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which*
- a) *promote compact form and a structure of nodes and corridors;*
 - b) *promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;*
 - c) *focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;*
 - d) *focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities;*
 - e) *encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;*
 - f) *promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and*
 - g) *maximize vegetation within settlement areas, where feasible.*

Planning Comment

Planning for climate change and climate resilience will be implemented within the proposed redevelopment. The proposed redevelopment provides a compact built form within the Urban Area on existing services. The subject lands will be serviced by existing public transit and will encourage active transportation with access to transit, providing on-site bike parking and pedestrian connectivity. The Tree Inventory and Preservation Plan details the removal of ten (10) private trees and the retention of eight (8) existing trees to facilitate the proposed

redevelopment. The Landscape Concept Plan proposes the planting of twelve (12) new trees within the development area in addition to various shrubs and perennials. The landscaping and pedestrian pathways will enhance the site design and pedestrian environment.

Section 2.0 of the PPS requires that a development has consideration for natural and cultural heritage. There have been no natural heritage features of significance identified on the subject lands. A Tree Protection Plan has been prepared in support of this application. There are no cultural heritage features or resources identified on the subject lands. Therefore, the development maintains the goals of Section 2.0 as it does not adversely impact the natural heritage or significant heritage resources within Ontario.

The proposal is **consistent** with the PPS, 2020 which focuses growth in Settlement Areas, promotes a mix of land uses and densities that efficiently use land, existing infrastructure, public services and facilities.

4.2 Growth Plan for the Greater Golden Horseshoe, 2019

The *Places to Grow - Growth Plan for the Greater Horseshoe, 2019*, (“Growth Plan”) is a comprehensive strategy that compliments municipal policy to manage growth patterns, maximize land use, and manage quality of life. The Growth Plan came into effect May 16th, 2019, and Amendment 1 was approved August 28th, 2020. The subject lands are located within the “*Delineated Built-Up Area*” of the Growth Plan. Applicable policies have been reviewed below.

2.2.1 Managing Growth

2. *Forecasted growth to the horizon of this Plan will be allocated based on the following:*
 - a) *the vast majority of growth will be directed to settlement areas that:*
 - i. *have a delineated built boundary;*
 - ii. *have existing or planned municipal water and wastewater systems; and*
 - iii. *can support the achievement of complete communities;*
 - c) *within settlement areas, growth will be focused in:*
 - i. *delineated built-up areas;*
 - ii. *strategic growth areas;*
 - iii. *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
 - iv. *areas with existing or planned public service facilities;*

4. *Applying the policies of this Plan will support the achievement of complete communities that:*
 - a) *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
 - d) *expand convenient access to:*

- i. a range of transportation options, including options for the safe, comfortable, and convenient use of active transportation;*
- ii. public service facilities, co-located and integrated in community hubs;*
- iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
- iv. healthy, local, and affordable food options, including through urban agriculture;*
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;*
- f) mitigate and adapt to climate change impacts, improve resilience, and reduce greenhouse gas emissions, and contribute to environmental sustainability; and...*

Planning Comment

The subject lands are within the delineated built-up area known as the former Town of Ancaster, now part of the City of Hamilton with frontage onto Fiddler’s Green Road. Fiddler’s Green Road is serviced by existing municipal infrastructure including public transit, water and wastewater systems and has access to public service facilities within the surrounding community. The proposed redevelopment accommodates growth through compact development on underutilized lands that provides an appropriate transition of use to the surrounding residential neighbourhood. The subject lands promote environmental sustainability by providing an urban built form, ample landscaping and providing a medical clinic use in proximity to neighbourhood residential and other community uses, reducing the need for personal vehicles or extra vehicle trips.

2.2.2 Delineated Built-up Areas

- 1. By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:*
 - a) A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo, and York will be within the delineated built-up area.*
- 3. All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:*
 - a) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;*
 - b) identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;*
 - c) encourage intensification generally throughout the delineated built-up area;*
 - d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;*

- e) *prioritize planning and investment in infrastructure and public service facilities that will support intensification; and,*
- f) *be implemented through official plan policies and designations, updated zoning and other supporting documents.*

Planning Comment

The proposed redevelopment is intended to provide a mixed use building with uses permitted in Municipal planning policy documents which will create opportunity for improved social equity by providing rental apartments within central Ancaster with access to transit. The proposed development has been designed to address applicable Urban Design Guidelines to ensure a positive public to private realm relationship with appropriately scaled façade, materials, and provides delineated pedestrian site access. Vehicle-pedestrian conflicts will be reduced by closing one of the existing vehicular access points from Fiddler’s Green Road and providing appropriate visibility triangles. The proposed redevelopment is in conformity with intensification objectives as it contributes to directing growth to the built-up area of a municipality while providing a compatible mix of uses and built form with adjacent land uses to meet intensification targets for urban growth.

2.2.6 Housing

1. *Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province and other appropriate stakeholders, will:*
 - a) *support housing choice through the achievement of minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:*
 - i. *identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents; and*
 - ii. *establishing targets for affordable ownership housing and rental housing;*
 - b) *identifies mechanisms, including the use of land use planning and financial tools, to support the implementation of policy 2.2.6.1 a);*
 - c) *aligns with applicable housing and homelessness plans required under the Housing Services Act, 2011; and*
 - d) *address housing needs in accordance with provincial policy statements such as the Policy Statement: “Service Manager Housing and Homelessness Plans;” and*
 - e) *implement policy 2.2.6.1 a), b), c) and d) through official plan policies and designations and zoning by-laws.*

Planning Comment

The proposed redevelopment contributes to the City’s density targets by providing appropriate gentle intensification on underutilized lands. The subject lands are in close proximity to an existing commercial area along Wilson Street West & Wilson Street East and will contribute to the City’s rental housing supply. The proposal also conforms with policies of 2.2.6 as the mixed-use commercial and residential building is a permitted land use within the City of Hamilton’s

planning policies including the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 05-200.

3.2.2 Transportation - General

1. *Transportation system planning, land use planning, and transportation investment will be coordinated to implement this Plan.*
2. *The transportation system within the GGH will be planned and managed to: A Place to Grow | 31 Infrastructure to Support Growth*
 - a) *provide connectivity among transportation modes for moving people and for moving goods;*
 - b) *offer a balance of transportation choices that reduces reliance upon the automobile and promotes transit and active transportation;*
 - c) *be sustainable and reduce greenhouse gas emissions by encouraging the most financially and environmentally appropriate mode for trip making and supporting the use of zero- and low-emission vehicles;*
 - d) *offer multimodal access to jobs, housing, schools, cultural, and recreational opportunities, and goods and services;*
 - e) *accommodate agricultural vehicles and equipment, as appropriate; and*
 - f) *provide for the safety of system users.*

Planning Comment

The subject lands are located along a Minor Arterial (Fiddler’s Green Road). The subject lands have convenient access to a Community Node (commercial district and ‘Village Core’ along Wilson Street West & East) and has access to Provincial Highway 403 and the Lincoln Alexander Parkway. Fiddler’s Green Road is urbanized with sidewalks and bike lanes on both sides of the right-of-way. The subject lands are located along HSR Bus Route #16, with stop located in proximity at Fiddler’s Green Road and Gilbert Avenue and Fiddler’s Green Road and Wilson Street East. Commercial, institutional (including schools and churches) and neighbourhood, community and City-wide park uses are all within walking distance to the subject lands.

The proposed redevelopment for a mixed-use multiple dwelling meets the intent of providing a diverse range of housing options within the community. The proposal will intensify urban lands within a delineated built-up area while creating new rental housing units and providing medical clinic space to the wider community. Therefore, the proposed redevelopment **conforms** to the Growth Plan.

4.3 Urban Hamilton Official Plan

The City of Hamilton’s *Urban Hamilton Official Plan* (“UHOP”) was declared in force and effect on August 16, 2013, as a replacement to the seven local Official Plans representing the former municipalities. One of the objectives of the UHOP is to manage community growth, land use changes and the physical development of the City of Hamilton over the next 30 years.

The UHOP, Volume 1 has an established urban structure that directs community growth based on key elements of land use. The subject lands comprise part of Ancaster’s Community Node (Schedule “E”) and are designated “Neighbourhoods” (Schedule “E-1”) (refer to **Figure 3 - UHOP Schedule “E”** and **Figure 4 - UHOP Schedule “E-1”**). Applicable Community Node and Neighbourhood policies are reviewed below.

E.2.0 URBAN STRUCTURE	
E.2.3 Community Nodes	
Policy	Planning Comment
<p><i>E.2.3.3.2 Within each Community Node a range of uses shall be provided that allow for access to housing, employment, services, and recreation in close proximity to each other and transit. The Community Nodes shall provide services to residents within the former area municipalities and surrounding neighbourhoods in a mixed use environment.</i></p> <p><i>E.2.3.3.5 Community Nodes shall function as vibrant, mixed use areas containing a range of housing opportunities, including affordable housing, and housing with supports. The unique characteristics of the individual Community Nodes lend themselves to a range of built forms.</i></p> <p><i>E.2.3.3.8 Community Nodes shall be planned to accommodate some residential intensification over the time period of this Plan. The location, scale and amount of residential intensification shall be established through detailed secondary plans described in Policy E.2.3.3. 11.</i></p> <p><i>E.2.3.3.9 The built form shall largely be in medium and low rise, mixed use buildings. Along commercial and mixed use streets, single use commercial buildings shall be permitted along with residential housing forms on the periphery of the Nodes. However, the intent of this Plan is to increase the proportion of multiple storeys, mixed use buildings that have retail and service commercial uses at grade.</i></p> <p><i>E.2.3.3.11 Detailed secondary plans shall be undertaken for Community Nodes to establish boundaries and provide greater direction on mix of uses, heights, densities, built form, and design. Pending the completion of secondary plans for Community Nodes, the land use designations and</i></p>	<p>The proposed redevelopment of 111 & 115 Fiddler’s Green Road maintains the intent of the Community Node policies. Housing, employment and services are within proximity to each other with convenient access to transit. The proposed height of 2-storeys for the subject lands is a low-rise built form and will contribute to a range of built form while intensifying the site with a compatible mixed-use building and site design that respects the existing streetscape of Fiddler’s Green Road. The subject lands are within the Ancaster Wilson Street Secondary Plan boundaries which are addressed in Section 4.4 of this report. Overall, the proposed redevelopment is built-to the street with an appropriate proposed building height. The closure of one of the vehicular accesses will improve the pedestrian safety of Fiddler’s Green Road.</p>

<p><i>policies set out in this Chapter shall provide direction for development proposals.</i></p> <p>E.2.3.3.12 <i>Notwithstanding Policy E.2.3.3.7, some Community Nodes may be developed as lower intensity nodes appropriate to the character of their adjacent Neighbourhoods, other infrastructure, or transportation constraints as follows:</i></p> <p>a) <i>Due to transportation constraints and the existing character of the adjacent neighbourhoods, a target density in the range 50 persons and jobs per hectare shall apply to the Ancaster Community Node. This target may be adjusted through the development of a secondary plan.</i></p> <p>E.2.3.3.18 <i>New development shall respect the existing built form of adjacent neighbourhoods by providing a gradation in building heights and by locating and designing new development to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods.</i></p> <p>E.2.3.3.20 <i>Automobile access will continue to be important to Community Nodes but it shall be balanced with the need to improve pedestrian and transit access and opportunities for active transportation.</i></p> <p>E.2.3.3.22 <i>Reductions in parking requirements shall be considered in order to encourage a broader range of uses and densities to support transit.</i></p>	
E.3.2 Neighbourhoods Designation - General Policies	
Policy	Planning Comment
<p>E.3.2.1 <i>Areas designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.</i></p> <p>E.3.2.3 <i>The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 - Urban Land Use Designations:</i></p> <p>a) <i>residential dwellings, including second dwelling units and housing with supports;</i></p> <p>d) <i>local commercial uses.</i></p>	<p>111 & 115 Fiddler's Green Road have a total approximate area of 0.247 hectares. The subject lands are subject to a ±6.0 metre right-of-way widening, resulting in a lot area of 0.220 hectares. The subject lands are currently occupied by one (1) single detached dwelling and one (1) commercial florist shop, both are proposed to be removed. The proposed redevelopment will provide a low-density mixed-use within a low-rise building.</p>

E.3.2.6 Supporting uses such as local commercial, community facilities/services, and open space and parks, should be clustered to create a focal point for the neighbourhood and to facilitate access by all forms of transportation.

E.3.2.7 The City shall require quality urban and architectural design. Development of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:

- b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alley) shall be minimized.
- c) Adequate and direct pedestrian access and linkages to community facilities/services and local commercial uses shall be provided.
- d) Development shall improve existing landscape features and overall landscape character of the surrounding area.
- e) Development shall comply with Section B.3.3 - Urban Design Policies and all other applicable policies.

E.3.2.11 To maintain existing neighbourhood character and to provide for pedestrian friendly environments, reduced right-of-way widths may be permitted in accordance with Section C.4.5 - Roads Network.

E.3.2.13 The City supports residential intensification on lands within the Neighbourhoods designation in accordance with Section B.2.4 - Residential Intensification Policies, F.1.14 - Division of Land, and other applicable policies.

The subject lands are supported by several community services and facilities including Brockhouse Park, Greenside Acres Park, St. Ann Elementary School and Spring Valley Elementary School. To the northeast, the neighbourhood is supported by a district commercial area along Wilson Street West, an approximate 3-minute walk from the subject lands.

The subject lands are located on the east side of Fiddler's Green Road (Minor Arterial), between Wilson Street West (Major Arterial) and Highway No. 403 (Provincial Highway - Controlled Access). The primary function of a Minor Arterial is to carry moderate volumes of intra-municipal and inter-regional traffic through the City and to accommodate varying dwelling forms. The subject lands are located within close proximity to Highway No. 403 and with access to the Community Node along Wilson Street East/West.

Fiddler's Green Road acts as an important linkage that connects the commercial hub along Wilson Street East/West to Highway 403 and subsequently the wider community and region. It is urbanized with sidewalks on both sides of the right-of-way and existing bike lanes. The subject lands are serviced by Hamilton Street Railway (HSR) bus route number 16 that provides Ancaster-wide access including the Meadowlands Terminal, which provides connection to other HSR routes. In addition, the lands are in close proximity to Garner Road East/West, which will accommodate the future "S" line of the BLAST network.

E.3.4 Low Density Residential	
Policy	Planning Comment
<p><i>E.3.4.1 The preferred location for low density residential uses is within the interior of neighbourhoods.</i></p> <p><i>E.3.4.3 Uses permitted in low density residential areas include single-detached, semidetached, duplex, triplex, and street townhouse dwellings.</i></p> <p><i>E.3.4.5 For low density residential areas, the maximum height shall be three storeys.</i></p>	<p>The subject lands are permitted low-rise mixed-use buildings per the Ancaster Secondary Plan policy B.2.8.7.3.b.i. The proposed land use within a two-storey built form is compatible with the mix of low-profile surrounding land uses.</p>
E.3.8 Local Commercial	
Policy	Planning Comment
<p><i>E.3.8.1 Local commercial uses that primarily cater to the weekly and daily needs of residents within the surrounding neighbourhood may be permitted within the Neighbourhoods designation.</i></p> <p><i>E.3.8.2 The following uses shall be permitted:</i></p> <p><i>b) medical offices or clinic, provided it has direct access to an arterial road and is adjacent to other local commercial uses; and,</i></p> <p><i>c) residential uses, in accordance with Policy E.3.8.10</i></p> <p><i>E.3.8.4 Local commercial uses may be permitted in the following built forms:</i></p> <p><i>d) multiple storey buildings with the local commercial uses on the ground floor and residential units above.</i></p> <p><i>E.3.8.8 Local commercial uses shall comply with the following provisions:</i></p> <p><i>a) The gross floor area for any individual office shall not exceed 500 square metres.</i></p> <p><i>b) The total maximum gross floor area and height for a development located on a particular site shall be determined through secondary plans or corridor studies where applicable, and Zoning By-laws</i></p> <p><i>E.3.8.9 Development and redevelopment of local commercial uses shall:</i></p>	<p>The existing single storey commercial florist building, and one and a half storey residential dwelling are proposed to be redeveloped for a 2-storey mixed use commercial/residential building. The proposed local commercial use of a medical clinic will service the needs of the surrounding neighbourhood and wider community. The total floor area of the ground floor is proposed to be approximately 539m², which will provide flexibility for internal layouts. The proposed residential uses are located in the upper storeys, accessed from the ground floor. The subject lands have frontage on a minor arterial road with alternate transportation infrastructure. The proposed building and site designs maintains the intent of urban design policies of the UHOP and is compatible with the existing streetscape.</p>

<p>a) front and have access to a major arterial, minor arterial, or collector road;</p> <p>b) provide safe and convenient access for pedestrians and cyclists; and,</p> <p>c) be compatible with the surrounding area in terms of design, massing, height, setbacks, on-site parking, noise impact, landscaping, and lighting.</p> <p>E.3.8.10 Residential units located in the same building as local commercial uses shall generally be located above the ground floor. Some components of the residential use may be located in ground floor areas in the rear of buildings. All commercial space shall be located on the ground floor with the primary entrances to the commercial space through the principal façade of the building.</p>	
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In conclusion, the proposed redevelopment of 111 & 115 Fiddler’s Green Road to introduce a new mixed-use local commercial and residential building in a low-profile built form conforms to applicable policies of the *Urban Hamilton Official Plan, Volume 1*.

Figure 3: UHOP Schedule E - Urban Structure

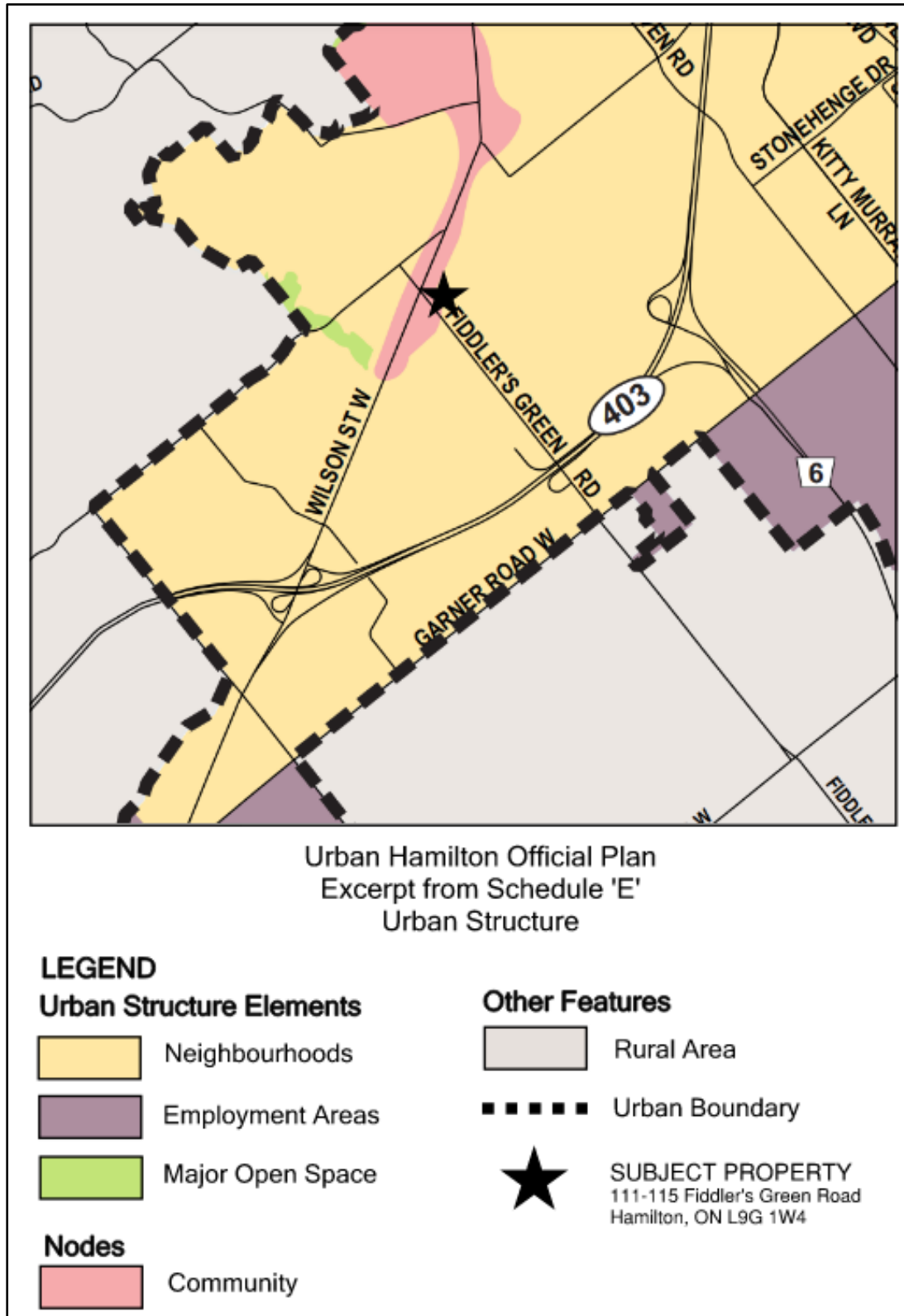
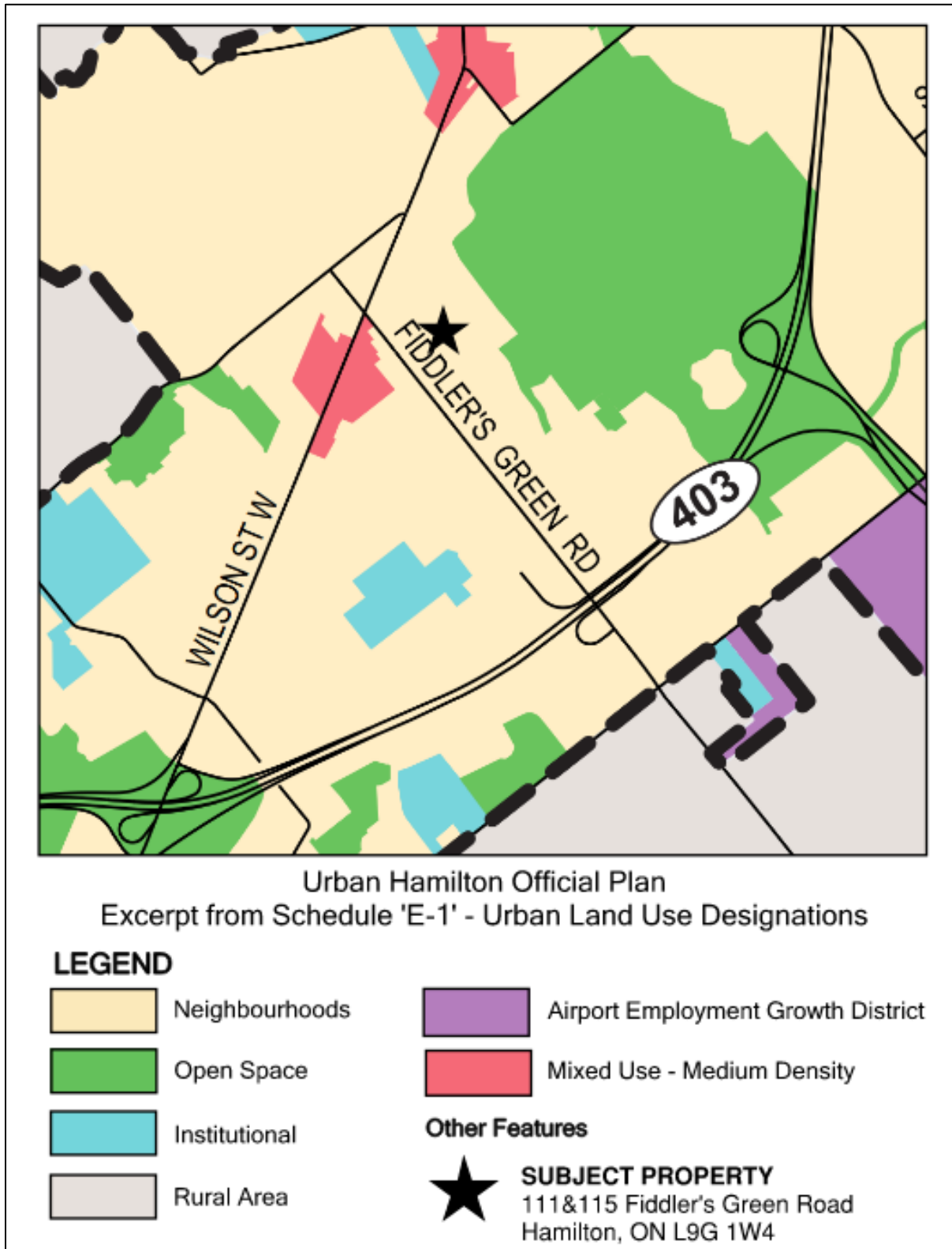


Figure 4: UHOP Schedule E-1 - Urban Land Use



4.4 Ancaster Wilson Street Secondary Plan

The *Ancaster Wilson Street Secondary Plan* of the *UHOP, Volume 2*, provides land use policies that are specific to the planning elements that comprise Wilson Street and adjacent areas. The subject lands are designated “Low Density Residential 3” on Map B.2.8.-1 and within the “Community Node” and “Transition” Areas in Appendix A of the Secondary Plan (refer to **Figure 5 - Secondary Plan Land Use Designation** and **Figure 6 - Secondary Plan Character Areas**).

Applicable policies of the Secondary Plan are reviewed below.

UHOP VOL. 2, CHAPTER B - 2.8 ANCASTER WILSON STREET SECONDARY PLAN	
2.8.6 Ancaster Community Node	Planning Comment
<p><i>In addition to Section E.2.3.3 - Community Nodes of Volume 1, and the policies of this Secondary Plan, the following policies shall apply to the Ancaster Community Node shown on Appendix A - Character Areas and Heritage Features:</i></p> <p>a) <i>The Ancaster Community Node shall be a focus area for growth, development, and intensification within the Ancaster Wilson Street Secondary Plan.</i></p> <p>b) <i>The Ancaster Community Node shall include a range of housing forms and tenures, and a mix of employment, institutional, recreational, and commercial uses subject to the land use designation policies of this Secondary Plan and Volume 1 of this Plan.</i></p> <p>c) <i>Intensification and infill development shall be balanced with the heritage and historic character of Ancaster. Further guidance for incorporating heritage features, design, and overall character through infill and intensification is provided in the supporting Ancaster Wilson Street Urban Design Guidelines.</i></p> <p>g) <i>The overall density for the Ancaster Community Node shall be 50 people and jobs per hectare.</i></p>	<p>The proposed mixed-use redevelopment will provide gentle intensification within the Ancaster Community Node. The proposed redevelopment will include six (6) dwelling units that will be rental tenure in conjunction with a medical clinic and office uses. The proposed building has been designed with guidance from applicable UHOP Urban Design policies to ensure the new proposed building compliments the existing streetscape character.</p> <p>The subject lands are within Ancaster’s Transitional area and proposes a mixed-use building. The scale of the building, at 2-storeys, is consistent with the existing urban form of the street with a high regard to applicable Urban Design Guidelines, including a pitched roof, façade, and materials.</p> <p>The proposed redevelopment of 111 & 115 Fiddler’s Green Road and will replace the existing commercial leasable area (florist) while introducing rental residential uses to provide compact development and efficiently use urban lands to contribute to the overall growth of Ancaster without adversely impacting its existing character. The proposed redevelopment of the subject lands will contribute towards achieving an overall density of 50 people and jobs per hectare.</p>

2.8.7.2 General Residential Policies	Planning Comment
<p><i>In addition to Sections B.3.2 - Housing Policies, C.3.2 - Urban Area General Provisions, and E.3.0 - Neighbourhood Designations of Volume 1, the following policies apply to all residential land use designations identified on Map B.2.8-1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:</i></p> <p><i>a) Residential development or redevelopment and infill development shall maintain and enhance the character of the residential areas through architectural style that is sympathetic and complementary with the existing adjacent residential areas, heritage buildings, and uses. Further direction regarding design shall be provided in the Urban Design policies, detailed in Policy 2.8.12 of this Plan.</i></p> <p><i>d) Direct access to individual dwelling units from Wilson Street and Fiddlers Green Road shall be discouraged. Alternative forms of access, such as use of shared or common access points and rear lane arrangements, shall be encouraged.</i></p>	<p>The proposed redevelopment maintains and enhances the character of the surrounding neighborhood through a low-profile multiple dwelling with high quality building materials and streetscaping elements including landscaping and pedestrian connections from the public ROW to the building.</p> <p>No direct access to individual units is proposed from Fiddlers Green Road. Shared and common access points will be internal to the site. Wayfinding design elements will be utilized to define residential and commercial access doors.</p> <p>Refer to the Urban Design Brief dated August 2022 for a more detailed analysis of the urban design policies.</p>
2.8.7.3 Low Density Residential Designations	Planning Comment
<p><i>b) In addition to Section E.3.4 - Low Density Residential of Volume 1, for lands designated Low Density Residential 3 on Map B.2.8-1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, the following policies shall apply:</i></p> <p><i>i) In addition to Policy E.3.4.3 of Volume 1, all forms of townhouses and low-rise multiple dwellings shall be permitted.</i></p> <p><i>ii) Notwithstanding Policy E.3.4.4 of Volume 1, the net residential density range shall be 20 - 60 units per hectare.</i></p> <p><i>iii) In addition to Policy E.3.4.3 of Volume 1, small scale commercial uses shall be permitted, including business and professional offices, medical office uses or clinics, day nursery, artist studios, funeral homes, and personal services.</i></p> <p><i>iv) Notwithstanding Policy 2.8.7.3 b)iii) of this Plan, prohibited uses include retail, financial establishments, restaurants, motor vehicle service stations, and gas bars.</i></p>	<p>The proposed redevelopment of a low-rise (i.e., 2-storeys) mixed-use building with a medical clinic and office use at grade with six (6) dwelling units above is a permitted use and form within the Low Density Residential 3 designation. The proposed redevelopment will provide a residential density of 30 units per hectare.</p> <p>The proposed site-specific Neighbourhood Commercial (C2) Zone permits local commercial uses including business and professional offices, medical office uses or clinics, day nursery, artist studios and personal services. The proposed site-specific C2 Zone will prohibit local commercial uses including retail, financial establishments, restaurants, motor vehicle service stations and gas bars.</p>

<p>v) <i>In accordance with Policy 2.8.7.3 b)iii) of this Plan, commercial uses shall be subject to the following:</i></p> <ol style="list-style-type: none"> 1. <i>Permitted uses shall be located in stand-alone commercial or mixed use buildings;</i> 2. <i>Residential units are encouraged on upper floors as part of any proposed development or redevelopment;</i> 3. <i>For mixed use buildings, commercial uses shall be located on the first floor only;</i> 4. <i>Parking shall be accommodated on site or through shared parking lots, where feasible...</i> <p>vi) <i>New development or redevelopment shall ensure the height, massing, scale, and arrangement of the buildings and structures are compatible with the abutting uses.</i></p>	<p>Adequate on-site parking is proposed to support the mixed-use building and it is intended uses including one (1) parking space per residential unit and a total of twenty-nine (29) parking spaces to support the medical office and office uses.</p>
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Figure 5: Ancaster Wilson Street Secondary Plan - Land Use Plan

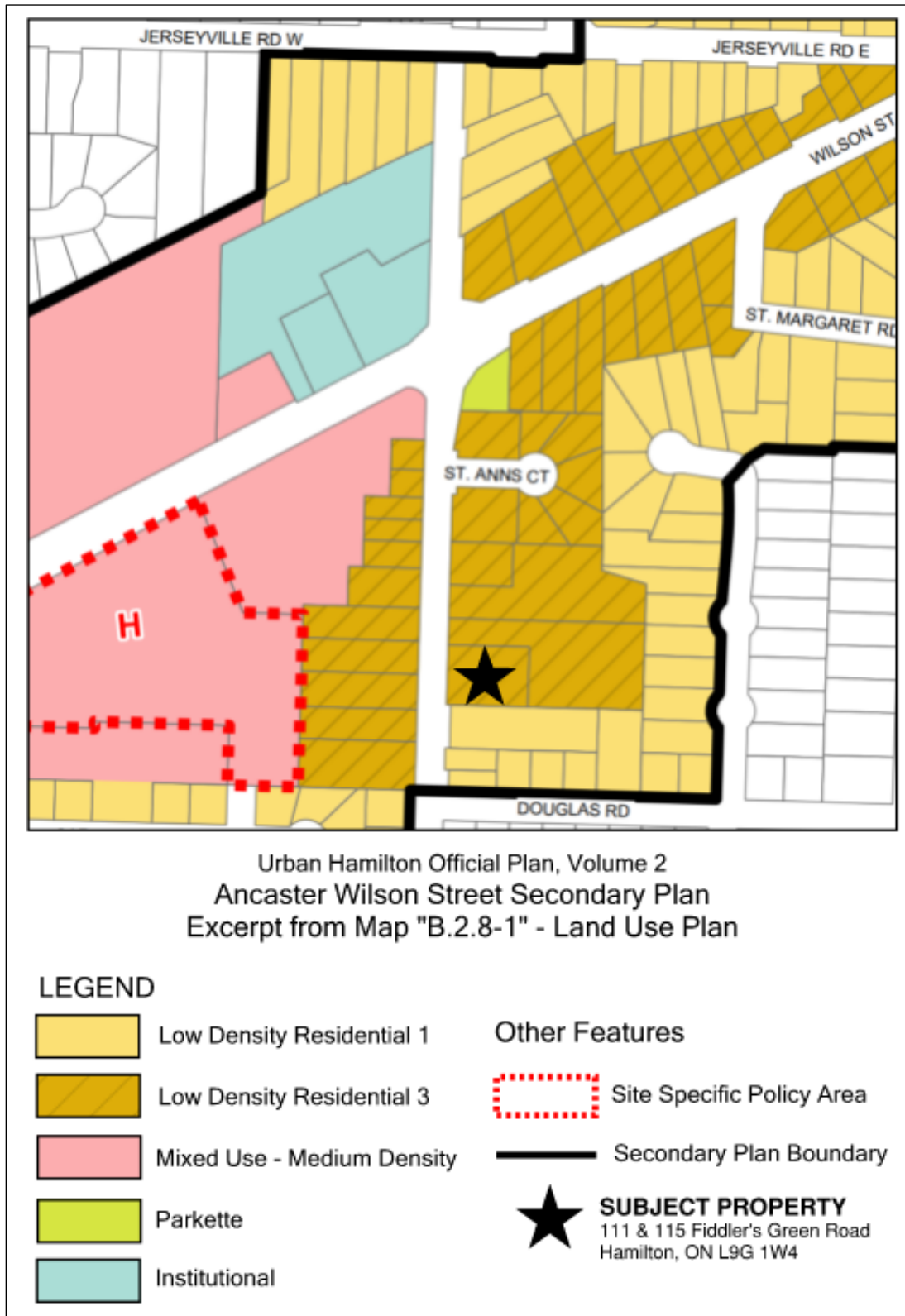
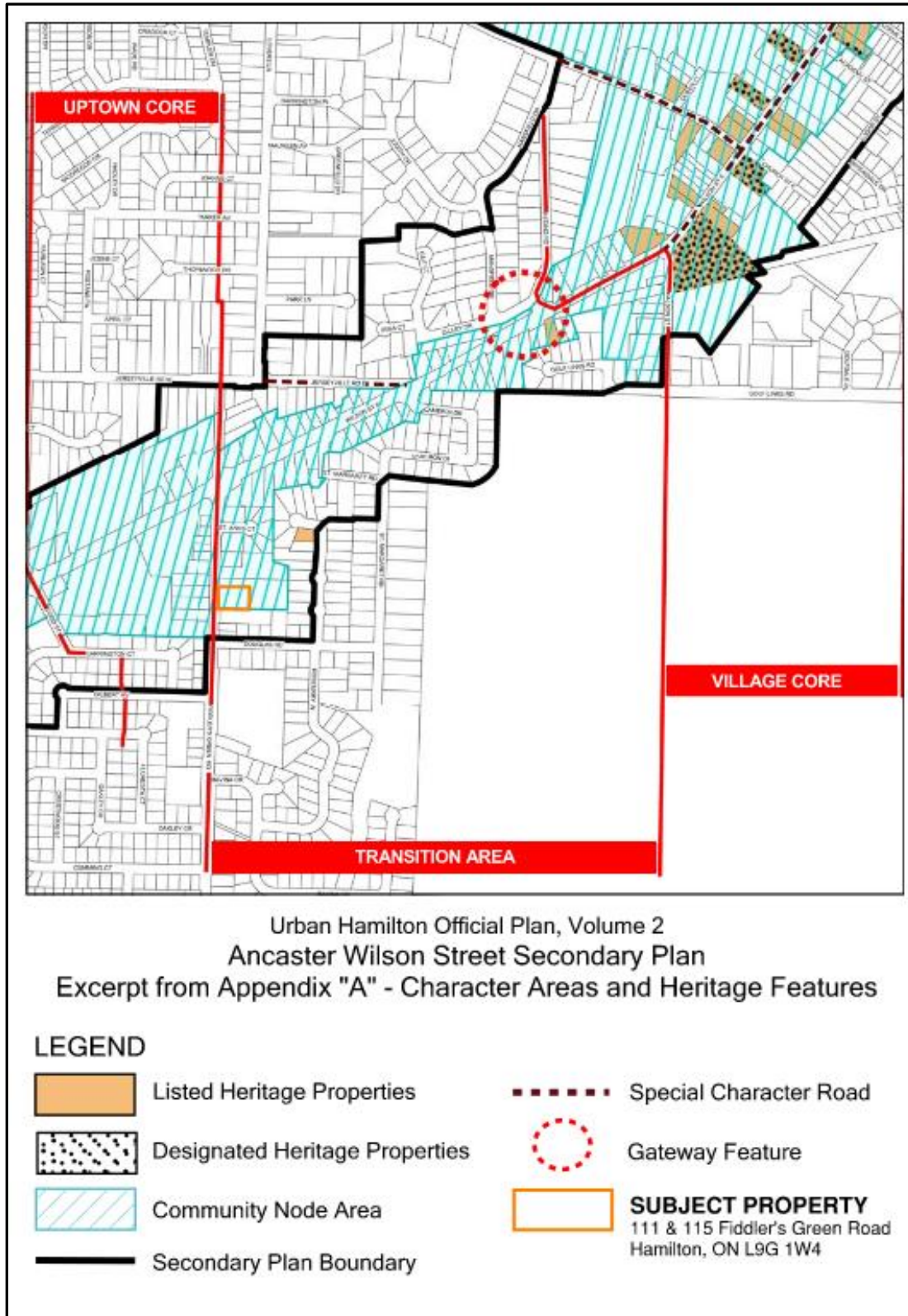


Figure 6: Ancaster Wilson Street Secondary Plan, Appendix A - Character Areas and Heritage Features



The *Wilson Street Urban Design Guidelines* were prepared to support the Secondary Plan; although the subject lands are not within any identified Character Areas the Guidelines will be utilized to guide the design of the proposed development. The table below reviews the proposed development in context with the applicable urban design policies of the *Ancaster Wilson Secondary Plan*. The following discussion should be read in conjunction with the Urban Design Brief (TJC, July 2022).

UHOV VOL. 2, CHAPTER B - 2.8 ANCASTER WILSON STREET SECONDARY PLAN	
2.8.12.1 Urban Design Policies	Planning Comment
<p><i>In addition to Section B.3.3 - Urban Design Policies of Volume 1, the following policies shall apply to lands within the Ancaster Wilson Street Secondary Plan and Community Node areas, as identified on Map B.2.8-1 Ancaster Wilson Street Secondary Plan: Land Use and Appendix A - Character Areas and Heritage Features:</i></p> <p>a) <i>Development and redevelopment shall be consistent with the Ancaster Wilson Street Secondary Plan Urban Design Guidelines, and shall be sympathetic to adjacent building styles, features, and materials when adjacent to a designated or listed heritage building.</i></p> <p>d) <i>The Ancaster Wilson Street Secondary Plan Urban Design Guidelines further describe the design objectives, function, and design character of each Character Area.</i></p> <p>e) <i>Design requirements shall only apply to commercial and mixed-use areas, institutional, and multi-residential developments. The Guidelines shall not apply to single detached and semi-detached dwellings.</i></p> <p>f) <i>Development or redevelopment shall not negatively affect active transportation within the Ancaster Wilson Street Secondary Plan.</i></p> <p>g) <i>Development and redevelopment shall foster streets as interactive outdoor spaces for pedestrians.</i></p> <p>h) <i>Mixed use and commercial development or redevelopment shall provide a buffer, such as landscaped areas, for adjacent sensitive land uses...</i></p>	<p>The subject lands are not located within the Character Areas designated by the Wilson Street Urban Design Guidelines, however, are within proximity to the Transition Area. The proposed redevelopment will utilize materials that are consistent with the character of the surrounding neighbourhood and community. Materials considered to be utilized for the proposed building would complement the surrounding neighbourhood and its character, such as natural stone and wood finishes.</p> <p>The proposed redevelopment will enhance and promote active transportation use within the Secondary Plan area as it provides residential intensification in proximity to a range of uses in addition to medical clinic and office uses on lands that are well connected to the surrounding neighbourhood. Additionally, it will foster greater street to pedestrian interaction as it brings the streetline closer to the building and provides direct street access to the ground floor commercial uses.</p> <p>Landscaping will be provided throughout the site including landscaped buffers between the adjacent residential uses to the south and east.</p> <p>Refer to the Urban Design Brief dated August 2022 for a further analysis of the applicable urban design policies.</p>

4.5 City of Hamilton Comprehensive Zoning By-law No. 05-200

The former *Town of Ancaster Zoning By-law No. 87-57* (“ZBL 87-57”) is in force and effect and applicable to the subject lands. The ZBL 87-57 zones 111 Fiddler’s Green Road as “General Commercial (C3-211) Zone, Modified” and 115 Fiddler’s Green Road “Existing Residential (ER) Zone”. The existing modified C3-211 Zone only permits the use of a florist shop, while the ER Zone only permits existing, single detached residential dwellings.

To facilitate the proposed redevelopment, a zoning by-law amendment is required. It is proposed to repeal the subject lands from ZBL 87-57 and rezone the subject lands to a “Neighbourhood Commercial (C2-XXX) Zone, Modified” in the *City of Hamilton Comprehensive Zoning By-law No. 05-200*. A Draft Amending By-law has been prepared and can be found as **Appendix C** to this report. **Table 1** below provides an overview of the proposed development in context with the proposed Neighbourhood Commercial (C2) Zone.

Table 1 - Zoning Requirements

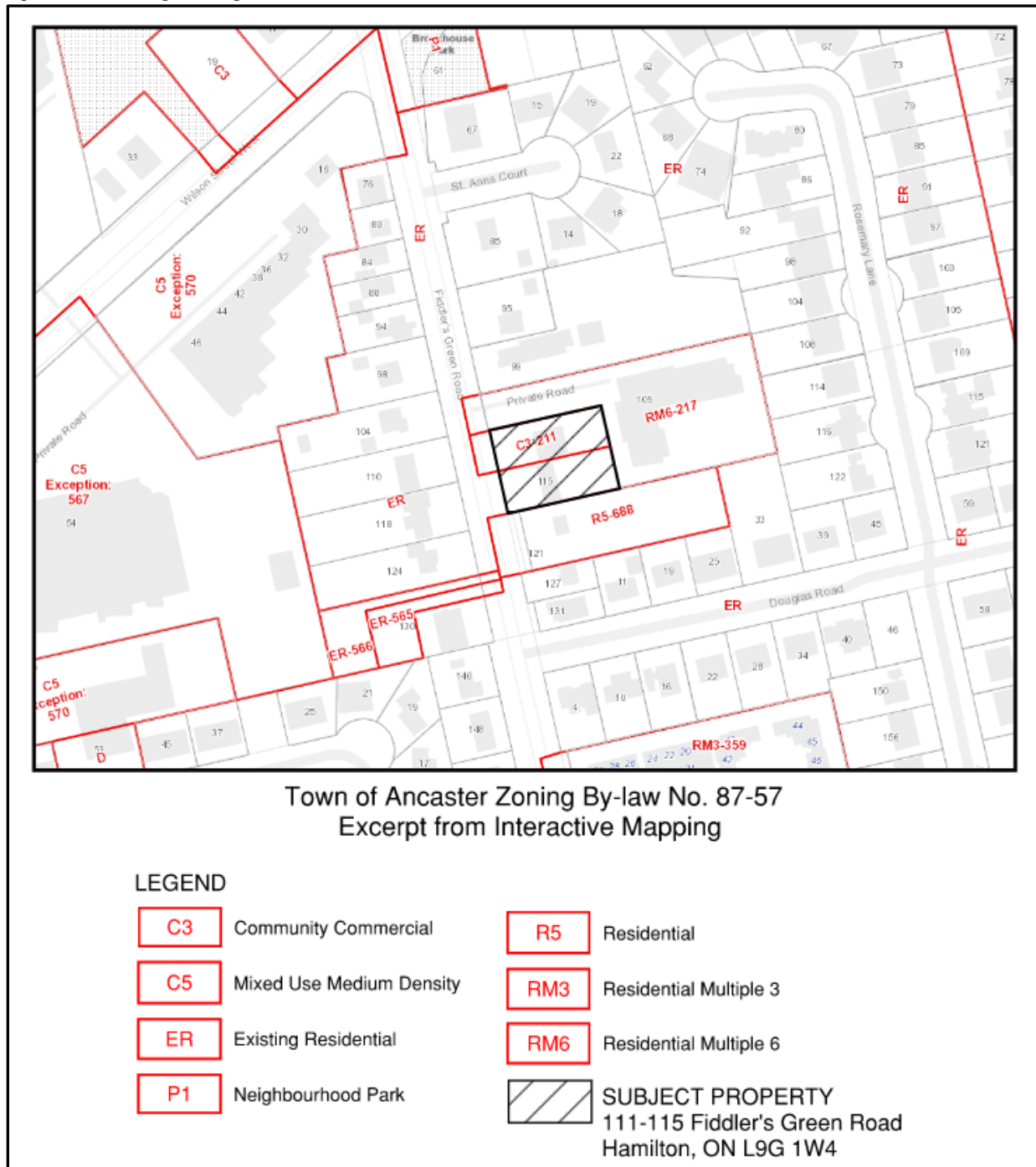
Neighbourhood Commercial (C2) Zone	Required	Proposed	Compliance
Permitted Uses <i>s.10.2.1</i>	<ul style="list-style-type: none"> • Artist Studio • Catering Service • Commercial School • Craftsperson Shop • Day Nursery • Dwelling Unit, Mixed Use • Emergency Shelter • Financial Institution • Medical Clinic • Motor vehicle Service Station • Office • Personal Services • Repair Services • Restaurant • Retail • Social Service Establishment • Veterinary Service 	<ul style="list-style-type: none"> • Artist Studio • Craftsperson Shop • Commercial School • Day Nursery • Dwelling Unit, Mixed Use • Emergency Shelter • Medical Clinic • Office • Personal Services • Social Service Establishment • Veterinary Service 	Permitted Uses Proposed

Restriction of Residential Uses within a Building <i>s.10.2.1.1 ii) 1.</i>	Notwithstanding Section 10.2.1, a Dwelling Unit(s), Mixed Use shall only be permitted above the ground floor except for access, accessory office and utility areas, and shall not occupy more than 50% of the total gross floor area of all the building(s) within the lot.	Six (6) Dwelling Units are provided above the ground floor except for residential access. Dwelling Unit's occupy 50% of the total building GFA.	Yes
Prohibited Uses <i>s.10.2.2</i>	<ul style="list-style-type: none"> Commercial Parking Facility Drive-Through Facility 	<ul style="list-style-type: none"> Catering Service Commercial Parking Facility Drive-Through Facility Financial Establishment Motor Vehicle Service Station Repair Services Restaurant Retail 	Prohibited Uses Proposed
Building Setback from a Streetline <i>s.10.2.3 a)</i>	i) Minimum 1.5 metres ii) Maximum 3.0 metres	1.55 metres	Yes
Minimum Rear Yard <i>s.10.2.3 b) ii)</i>	7.5 metres abutting a Residential or Institutional Zone or lot containing a Residential use.	15.15 metres abutting a Residential Zone and use.	Yes
Minimum Interior Side Yard <i>s.10.2.3 c) ii)</i>	3.0 metres abutting a Residential or Institutional Zone or lot containing a residential use.	3.0 metres abutting a Residential Zone and use.	Yes
Maximum Height <i>s.10.2.3 d)</i>	11.0 metres	11.0 metres	Yes
Maximum Lot Area <i>s.10.2.3 e)</i>	5,000.0 m ²	2,081.3 m ²	Yes
Maximum GFA Individual Office <i>s.10.2.3 f)</i>	500.0 m ²	0.0 m ²	Yes

Built Form for New Development <i>s.10.2.3 i)</i>	i) Rooftop mechanical shall be located and/or screen from view of any abutting street	Contained within building	Yes
	ii) For an interior lot, a minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 40% of the length of the front lot line <i>41.47m - 7.5m - 3.0m = 30.97m</i> <i>16.07m/30.97m = 51.88%</i>	52 %	Yes
	iv) In addition to S.10.2.3 ii), the minimum width of the ground floor façade facing the front and flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street	Minimum 16.07 metre façade width required <i>(Refer to 10.2.3.i.ii)</i>	Yes
	vi) No parking, driveways, stacking lands, or aisles shall be located between a building façade and the front lot line and the flankage lot line	Parking, driveways and aisles are within the Side and Rear Yards	Yes
	vii) Minimum one principal entrance shall be provided: 1. Within the ground floor façade set back closest to a street; and, 2. Shall be accessible from the building façade with direct access from the public sidewalk.	1. Within ground floor façade set back closest to Fiddler's Green Road. 2. Accessible from building façade with direct access from Fiddler's Green Road via pedestrian walkway.	Yes
Planting Strip <i>s.10.2.3 j)</i>	Where a property line abuts a property lot line abutting a Residential Zone and not a Laneway, a minimum 1.5 metre planting strip shall be provided and maintained	3.0 metres & 1.5 metres	Yes
Visual Barrier <i>s.10.2.3 k)</i>	A visual barrier shall be required along any lot line abutting a Residential Zone	Planting Strips and Privacy Fence	Yes

	property line in accordance with Section 4.19 of this By-law		
Section 5: Parking Regulations			
Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street <i>s.5.1 a) v)</i>	a) Shall not be located within 3.0 metres of a streetline	3.10 metres after road widening	Yes
	b) A 3.0-metre-wide planting strip shall be provided and permanently maintained between the street line and said parking spaces or aisle	3.10m planting strip provided except 0.6m high plantings within visibility triangles.	Yes
Barrier Free Parking <i>s.5.5 a)</i>	Minimum 1 Barrier Free Space	1 Barrier Free Space	Yes
Residential Parking Requirements <i>s.5.6 c) i. ii)</i>	Minimum 1.0 space per unit <i>1 space per unit x 6 units = 6 spaces</i>	6 spaces	Yes
Medical Clinic Parking Requirements <i>s.5.6 c) iv.</i>	<i>1 space / 16.0 m² of GFA</i> <i>538.4 m² / 16.0 m²</i> 33 spaces	<i>1 space / 20.0 m² of GFA</i> 27 spaces	No
Office Parking Requirements <i>s.5.6 c) iv.</i>	0 spaces where a use is less than 450.0 sq. m of GFA	0 spaces	Yes
Small Car Parking Spaces <i>s.5.2 b) vi)</i>	<i>Max. 10% of required parking spaces to be small car spaces (2.6m x 5.5m)</i> 33 spaces x 10% = 3 spaces	3 spaces	Yes
Short Term Bicycle Parking <i>s.5.7 c) i) & ii)</i>	<i>Multiple Dwelling = 5 spaces</i> <i>Commercial uses not listed = 5 spaces</i> 10 short term spaces	10 spaces	Yes
Section 4: General Provisions			
Maximum Balcony Encroachment into a Required Yard <i>s.4.6 e)</i>	Side Yard: 1.0 metres Front Yard: 1.0 metres	Side Yard: 0.55 metres All Other Yards: 0.55 metres	Yes

Figure 7: Existing zoning in Ancaster ZBL No. 87-57



5.0 Planning Analysis

The Planning Analysis is presented four sections. The first part of the discussion will summarize the technical findings of the Supporting Studies (Section 5.1), conformity with Provincial interest and policies (Section 5.2) followed by conformity with the Urban Hamilton Official Plan and the Ancaster Wilson Secondary Plan (Section 5.3). Lastly, the latter part of this Analysis will provide a scoped planning discussion to support the Zoning By-law Amendment (Section 5.4).

5.1 Supporting Studies

As outlined in Section 3, the subject lands have been comprehensively studied to ensure all requirements have been met to Provincial and City standards. The studies support the approvals of the submitted applications.

5.2 Provincial Interests

The Planning Act requires that, “decisions affecting planning matters shall be consistent with” the *Provincial Policy Statement, 2020*. The subject lands are located within an existing “Settlement Area” known as the City of Hamilton, in the former municipality of Ancaster. The proposed redevelopment of 111 and 115 Fiddler’s Green Road will provide land use intensification that will contribute towards an efficient use of urban lands. The proposed land uses will contribute to the overall viability of the settlement area by providing an increased residential density while providing new employment opportunities. The proposed redevelopment will be serviced by existing infrastructure with no adverse impacts to significant heritage resources. The proposed ZBA is consisted with the *PPS, 2020*.

The subject lands are located within the “Delineated Built-Up Area” of the *Places to Grow: Growth Plan for the Greater Golden Horseshoe, 2019*, which have existing and planned municipal water and wastewater systems. The development of six (6) new dwelling units in a mixed-use building will provide gentle intensification to support Ancaster as a complete community and accommodate limited growth. The ground floor commercial will contribute to the vibrancy and conveniences of the surrounding neighbourhood without impacting major retail centres. The proposed redevelopment of 111 and 115 Fiddler’s Green Road will diversity the existing housing supply in Ancaster, offering a different tenure and lifestyle option. The subject lands have convenient access to existing transit networks, active transportation routes and community services. The proposed ZBA conforms to the *Growth Plan, 2019*.

5.3 Urban Hamilton Official Plan & Ancaster Wilson Secondary Plan

The subject lands are designated “Neighbourhoods” and within the Ancaster Community Node in the *Urban Hamilton Official Plan* with frontage onto a Minor Arterial Road (Fiddler’s Green Road). Fiddler’s Green Road provides direct access to a Controlled Access Provincial Highway No. 403. The subject lands are within a small cluster of commercial and institutional use on Fiddler’s Green Road and are just south of the community node located on Wilson Street West and are also in proximity to the Ancaster Village Core on Wilson Street East.

UHOP policies for infill redevelopment promote land use intensification on underutilized lands to achieve activated community nodes that support the overall health and function of the community. The Neighbourhoods designation permits a full range of residential and local commercial uses in mixed-use buildings including medical clinic and office uses. The subject lands are appropriate for mixed-use redevelopment with a built form that is compatible with the existing neighbourhood, having respect for building height, scale, building materials and zoning regulations. The subject lands are supported by existing municipal infrastructure including roads, transit and water services that will support future residents needs and well-being. As reviewed in Section 4.3, the proposed redevelopment conforms to the Community Nodes (E.2.3) and Neighbourhoods (E.3.0) policies and achieves the Urban Design Goals (B.3.3). As such, the proposed ZBA to permit a two-storey mixed-use multiple dwelling conforms to the *UHOP, Volume 1*.

The *Ancaster Wilson Secondary Plan* designates the subject lands “Low Density Residential 3” within the “Community Node” and “Transition Area”. The proposed infill 2-storey mixed use building form with a limited scale of floor area for local commercial uses on the ground floor is permitted and encouraged within Ancaster’s Community Node. The proposed building and site design will enhance the character of Fiddler’s Green Road with an architectural style that has been guided by the Transitional Area policies of the Urban Design Guidelines. The surrounding land use context is comprised of a mix of uses and forms including commercial, multi-residential and low density residential. The proposed building is complementary to the existing adjacent uses.

The six (6) dwelling units provide a net residential density of 30 units per hectare and is therefore within the permitted density limits of the Low Density Residential 3 designation. The site-specific zoning restricts prohibited commercial uses per the Secondary Plan including retail, financial establishment, restaurants, motor vehicle service stations and gas bars. As reviewed in Section 4.4, the proposed mixed-use building function conforms to the Community Node (B.2.8.6.1), Low Density Residential 3 (B.2.8.7.3.b) and Urban Design (B.2.8.12) policies of the *Ancaster Wilson Secondary Plan* of *UHOP, Volume 2*.

5.4 Zoning By-law Amendment

To facilitate the proposed redevelopment of 111 & 115 Fiddler’s Green Road, a Zoning By-law Amendment (ZBA) is required to repeal the subject lands from the former *Town of Ancaster Zoning By-law No. 87-57* and rezone the lands from the General Commercial (C3-211) and Existing Residential (ER) zones in the Town of Ancaster Zoning By-law No. 87-57 to a site-specific Neighbourhood Commercial (C2-XX) Zone, Modified, in the *City of Hamilton Comprehensive Zoning By-law No. 05-200*. To support the ZBA application, a Draft Amending Zoning By-law has been prepared and can be found as **Appendix C** to this report.

As shown in Table 1 of this report, three (3) modifications to the C2 Zone are required to facilitate the proposed development. The following is a discussion of the proposed site-specific provisions:

MODIFICATIONS 1 & 2 Permitted and Prohibited Uses

Additional prohibited uses have been proposed to align and maintain conformity with the Ancaster Wilson Street Secondary Plan's "Low Density Residential 3" policy B.2.8.7.3.b.iv which states:

iv) Notwithstanding Policy 2.8.7.3 b)iii) of this Plan, prohibited uses include retail, financial establishments, restaurants, motor vehicle service stations, and gas bars.

The listed prohibited uses are permitted within the Neighbourhood Commercial (C2) Zone of ZBL 05-200. As such, retail, financial establishment, restaurants, motor vehicle service station and gas bars are proposed to be prohibited within the proposed Neighbourhood Commercial (C2-XX) Zone, Modified.

MODIFICATION 3 Required Medical Clinic Parking

The minimum parking required for a medical clinic use is 1 space for every 16.0 square metres of GFA for a required 33 spaces for a 538.4m² floor area, whereas 27 spaces (1 space per 19.94m² of GFA) for the medical clinic is proposed. This represents a deficiency of six (6) parking spaces. The UHOP Community Node policies support a reduction in on-site parking to encourages more intensification, where appropriate.

E.2.3.3.22 Reductions in parking requirements shall be considered in order to encourage a broader range of uses and densities to support transit.

The subject lands are within a walkable area of the Ancaster Community Node and as such, are supported by active transportation, have convenient access to public transportation and are within close proximity to a number of different uses including residential, commercial and community uses. As such, the proposed reduction is not anticipated to have adverse impacts on the parking demands in the neighbourhood. Therefore, the proposed twenty-seven (27) parking spaces dedicated for a Medical Clinic use is appropriate to support the proposed use and the demands of the site. The proposed parking reduction result in the ability to provide six (6) dwelling units and better utilize urban lands for overall community growth.

In conclusion, the proposed development and implementing Zoning By-law Amendment **are consistent** with the *Provincial Policy Statement* and *Growth Plan* and **conforms** with the *Urban Hamilton Official Plan* and *Ancaster Wilson Secondary Plan*. It has been proven to be feasible and appropriate with the included supporting studies.

6.0 Implementation

This proposal is to be implemented through the Zoning By-law Amendment process to allow the mixed use development. A future Site Plan Control application will be submitted to address detailed site design should the Zoning By-law Amendment be successful.

A Draft Amending Zoning By-law has been prepared and can be found as **Appendix C** to this report.

7.0 Conclusions

A Zoning By-law Amendment is required to repeal the subject lands from Zoning By-law No. 87-57 and rezone from the General Commercial (C3-211) Zone, Modified and Existing Residential (ER) Zone, in the *Town of Ancaster Zoning By-law No. 87-57* to a new Neighbourhood Commercial (C2-XX) Zone, Modified, in the *City of Hamilton Comprehensive Zoning By-law No. 05-200*.

The proposed ZBA is consistent with and conforms to the applicable policy framework as outlined below:

- It is consistent with the *Provincial Policy Statement* and the *Growth Plan for the Greater Golden Horseshoe*, in that growth is directed to Settlement Areas; that gentle intensification contributes to the housing supply is adjacent to existing development; and can be supported by existing infrastructure and transit;
- It conforms to the *Urban Hamilton Official Plan* land use designations as the proposed use, scale and built form is permitted while maintaining compatibility with the existing neighbourhood character;
- It achieves the *Ancaster Wilson Secondary Plan* objectives and general intent of the *Urban Design Guidelines* of proposing a building use and design that achieves a minimum density of jobs and units per hectare in addition to ensuring compatibility with the design and function of the surrounding neighbourhood.
- Existing municipal services are available to service the site without the need for extension or expansion of municipal resources; and,
- Represents good land use planning, providing intensification in a mix of residential forms, densities and tenures on underutilized lands through infill redevelopment located within the built-up area of the City of Hamilton.

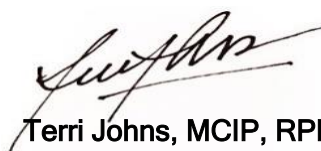
In summary, implementation of the proposal through the amending by-law is appropriate. The proposed redevelopment and associated amendment to the *City of Hamilton Comprehensive Zoning By-law No. 05-200* is appropriate, desirable and reflects good land use planning.

Respectfully Submitted,

T. Johns Consulting Group



Katelyn Gillis, BA
Intermediate Planner



Terri Johns, MCIP, RPP
Principal Planner

Appendix A:

Conceptual Site Plan

LEGAL DESCRIPTION

PART OF LOT 43
 CONCESSION 3
 GEOGRAPHIC
 TOWNSHIP OF ANCASTER,
 IN THE
 CITY OF HAMILTON



REVISIONS

REV.	DESCRIPTION	DATE	INIT.
C	ISSUED	10-JUNE-2022	JB
B	ISSUED	27-JAN-2022	JB
A	DISCUSSION	27-JULY-2021	JB

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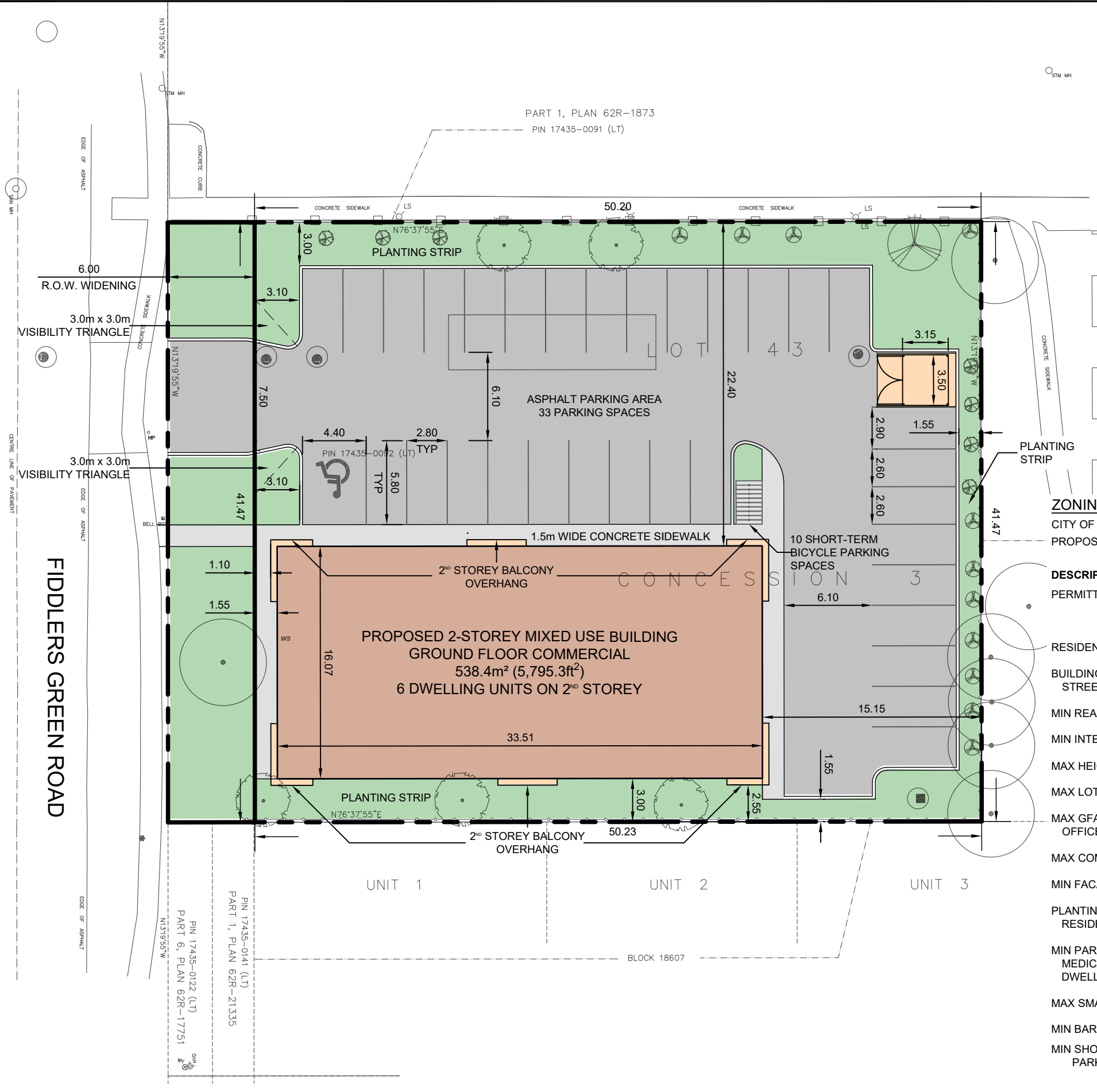
DESIGN NOTES:

- BOUNDARIES BASED ON LEGAL SURVEY COMPLETED BY A.T. MCLAREN DATED 21-DEC-2021.
- THIS DRAWING IS FOR ILLUSTRATIVE PURPOSES ONLY.
- ALL BUILDING DESIGN TO BE VERIFIED BY A QUALIFIED PROFESSIONAL.
- OFFICIAL PLAN DESIGNATED R.O.W WIDENINGS ARE SHOWN ON THE PLAN. HOWEVER, THE CITY DOES RESERVE THE RIGHT TO REQUEST FURTHER R.O.W WIDTH THROUGH PLANNING APPLICATIONS IF DEEMED NECESSARY.
- DESIGN SUBJECT TO CHANGE THROUGH PLANNING APPROVAL PROCESS.
- PLAN IS SUBJECT TO ZONING BY-LAW AMENDMENT. PROPOSAL IS NOT PERMITTED AS OF RIGHT.

ZONING CHART

CITY OF HAMILTON ZONING BY-LAW 05-200
 PROPOSED ZONE: NEIGHBOURHOOD COMMERCIAL (C2) ZONE

DESCRIPTION	REQUIRED	PROPOSED	COMPLIANCE
PERMITTED USE	MEDICAL CLINIC OFFICE DWELLING UNITS	MEDICAL CLINIC OFFICE DWELLING UNITS	YES YES YES
RESIDENTIAL USES	50% OF GFA	50% OF GFA	YES
BUILDING SETBACK FROM STREET LINE (NOT FINAL)	MIN 1.5m MAX 3.0m	1.5m 1.5m	YES YES
MIN REAR YARD	7.5m	15.2m	YES
MIN INTERIOR SIDE YARD	3.0m	3.0m	YES
MAX HEIGHT	11.0m	11.0m	YES
MAX LOT AREA	5,000.0m ²	2,081.3m ²	YES
MAX GFA FOR INDIVIDUAL OFFICE (PER UNIT)	500.0m ²	0.0m ²	YES
MAX COMMERCIAL GFA	2,000m ²	0.0m ²	YES
MIN FACADE WIDTH	40% LOT WIDTH	38.3% LOT WIDTH	NO
PLANTING STRIP ABUTTING RESIDENTIAL ZONE	1.5m	1.5m	YES
MIN PARKING SPACES MEDICAL CLINIC DWELLING UNIT	39 1 PER 16m ² = 33 1 PER UNIT = 6	33 1 PER 20m ² = 27 1 PER UNIT = 6	NO
MAX SMALL CAR PARKING	10% = 3	3	YES
MIN BARRIER FREE SPACE	1	1	YES
MIN SHORT-TERM BICYCLE PARKING SPACES	5 RESIDENTIAL 5 COMMERCIAL	5 RESIDENTIAL 5 COMMERCIAL	YES YES



Plotted by: Jennifer Badley; 23-JUN-2022; 8:33PM

Appendix B:

Public Consultation Strategy

	Explanation
<i>Target audience of the consultation</i>	The target audience of the consultation includes the residents and businesses within 120 metres of the Subject Lands and the established Neighbourhood Groups.
<i>If done, record of consultation efforts made before the application was submitted.</i>	Not applicable.
<i>List the stakeholders and how they are impacted</i>	<p>Owners/Tenants of dwellings to the north, south, east and west of the subject lands. Business owners to the north, south and west of the subject lands.</p> <p>Construction activity may temporarily impact adjacent lands however, appropriate mitigative protocols will be in place, approved through Site Plan Control including a Construction Management Plan.</p>
<i>Tools to be used to consult/engage the public</i>	A letter with explanation of redevelopment will be mailed out to stakeholders within 120 m of the Subject Lands that will include a micro-site link to review application materials online through T. Johns Consulting’s online Community Portal.
<i>Timing of consultation</i>	<p>Letters will be mailed out within 30 days when the submitted application is deemed complete. Project micro-site will be available within 30 days of a Complete Application.</p> <p>A Neighbourhood Open House may be hosted subject to neighbourhood feedback after receiving the mail out.</p> <p>Separate meetings held with established Neighbourhood Associations may be hosted subject to their response and if they request a meeting.</p>
<i>Method to receive and document comments</i>	<p>The mailed-out letter will provide the Consultant Planner’s contact information including email and address along with a link to a micro-site via T. Johns Consulting’s online Community Portal where details of the proposal will be available.</p> <p>All comments will be recorded and filed per our internal filing policies. Once the consultation process has concluded, a summary memo will be prepared and submitted to the City. All stakeholders are within 120 metres of the Subject Lands and will</p>

	therefore be captured in the City’s public circulation of the Notice of Complete Application.
<i>Proposed participants in consultation and their role(s).</i>	<p><u>Landowner & Applicant:</u> Shcherbatykh Professional Medicine Corporation c/o Dr. Julia and Dr. Ivan Shcherbatykh</p> <p>The Landowners & Application wish to be involved in the Public Consultation process and will attend Open House meetings as needed and if applicable.</p> <p><u>Agents:</u> T. Johns Consulting Group Ltd.</p> <p>T. Johns Consulting Group Ltd. will:</p> <ul style="list-style-type: none"> • Coordinate and document the public consultation process. • Prepare and mail out the letter that describes the reasons for the applications. • Prepare and monitor the project micro-site. • Provide general information on the planning process and policy framework. • Update the City accordingly. <p><u>Other Consultants:</u></p> <p>Depending on the issues raised by Staff and through the initial City circulation of the Notice of Complete Application, other members of the project team may be included as subject-specific matters arise.</p> <p>Should there be a need for an open house, City Planning Staff and the Ward Councilor will be invited.</p>
<i>Requested City Resources</i>	Not applicable.
<i>Expected/Potential Issues</i>	It is anticipated that the applications will be well-received by the surrounding community given that the redevelopment is maintaining the integrity of the existing site and building design that will enhance the existing lands and neighbourhood.

The Public Consultation Strategy is flexible and subject to change pending discussions with staff and the Ward Councilor regarding the target stakeholders and the most appropriate consultation methods.

Appendix C:

Draft Amending Zoning By-law

**CITY OF HAMILTON
BY-LAW NO. - _-__**

**To Amend Zoning By-law No. 05-200
Respecting Lands located at 111 and 115 Fiddler's Green Road in the City of Hamilton.**

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S. O. 1999 Chap. 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS Zoning By-law No. 05-200 was enacted on the 25th day of May, 2005;

AND WHEREAS, the Council of the City of Hamilton, in adopting Item ____ of Report PEDXXX of the Planning Committee at its meeting held on the ___ day of _____, _____, which recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan, upon finalization of this by-law.

NOW THEREFORE the Council and the City of Hamilton enacts as follows:

1. That Map Nos. __ of Schedule "A": Zone Maps of Zoning By-law No. 05-200, is amended as follows:
 - a) That lands making up 111 & 115 Fiddler's Green Road of the extent and boundaries of which are shown on the plan hereto annexed as Schedule "A" of this By-law, be added to Zoning By-law No. 05-200 as Neighbourhood Commercial (C2-XXX) Zone, Modified.

2. That Schedule "C": Special Exceptions of Zoning By-law No. 05-200, as amended, is hereby further amended by adding the following site-specific Neighbourhood Commercial (C2-XXX) Zone:

XXX. Within the lands zoned Neighbourhood Commercial (C2-XXX) Zone, Modified, identified on Map No. ___ of Schedule "A" - Zoning Maps and described as 111 & 115 Fiddler's Green Road, the following special provisions shall apply:

- a) Notwithstanding Section 10.2.1, the following uses shall be permitted:

- Artist Studio
- Commercial School
- Craftperson Shop
- Day Nursery
- Dwelling Unit, Mixed Use
- Emergency Shelter
- Medical Clinic
- Office
- Personal Services
- Social Service Establishment
- Veterinary Service

- b) In addition to Section 10.2.2, the following uses shall be prohibited:

- Catering Service
- Financial Establishment
- Motor Vehicle Service Station
- Repair Services
- Restaurant
- Retail

- c) Notwithstanding section 5.6 c) iv., the minimum parking spaces required for a Medical Clinic shall be 1 space for each 20.0 square metres of gross floor area.

3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Neighbourhood Commercial (C3) Zone, subject to the special provisions referred to in Section 2 of this By-law.

4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this ____ day of _____, 20__.

Mayor
ZAC-_-_____

Clerk

Schedule A



This Schedule "A" to By-law No. ___ - ___ Passed the ___ day of ___, 20___		_____ Mayor _____ Clerk
Schedule "A" Mapping Forming Part of By-law No. ___ - ___ To Amend By-law No. 05-200		Subject Property 111-115 Fiddler's Green Road Hamilton, ON L9G 1W4 Change in Zoning from the C3-211 (General Commercial) Zone to the Neighbourhood Commercial (C2-XXX) Zone, Modified Change in Zoning from the ER (Existing Residential) Zone to the Neighbourhood Commercial (C2-XXX) Zone, Modified
Scale: N.T.S	Planner/Technician:	
Date:	File Name/Number: ZAC-___ - ___	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		